

Message Text

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ACTION VOE-00

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FM AMEMBASSY MANILA

TO SECSTATE WASHDC PRIORITY 6456

UNCLAS MANILA 10412

E.O. 11652: N/A

TAGS: CVIS, RP

SUBJ: ELIGIBILITY UNDER SECTION 101(A)(15)(E) OF ACT

REF: STATE 187800

1. EMBASSY UNDERSTANDS CURRENT PHILIPPINE HANDLING OF AMCIT
TREATY TRADERS IN-COUNTRY INVOLVES TWO SEPARATE BUT RELATED
ASPECTS:

(A) PHILIPPINE COMMISSION ON IMMIGRATION IS GRANTING
EXTENSIONS OF TREATY TRADER STATUS TO MAY 27, 1975,
TO AMCITS WITHIN COUNTRY WHO ARE MAINTAINING STATUS.
THIS PROCEDURE IS EQUIVALENT TO INS EXTENSION OF STAY
TO ALIEN INSIDE US.

(B) PHILIPPINE COMMISSION ON IMMIGRATION ALSO GRANTING
EXIT-REENTRY PERMITS TO AMCIT TREATY TRADERS IN COUNTRY
FOR PURPOSE OF TRAVEL ABROAD, PROVIDING AMCIT HOLDS
VALID TREATY TRADER STATUS. THERE IS NO CLEAR US
EQUIVALENT TO EXIT PERMIT AND REENTRY PERMIT (SPECIAL
RETURN CERTIFICATE). SINCE EMBASSY SUSPENDED INSUANCE
OF E VISAS, FILIPINO TREATY TRADERS WHO DEPART US CANNOT
PRESENTLY REENTER US.

2. GIVEN FOREGOING WE FEEL FILIPINO TREATY TRADER AT DEFINITE
DISADVANTAGE RELATIVE TO AMCIT TREATY TRADER IN TERMS OF
TRAVEL ABROAD. WE HOPE PHILIPPINE GOVERNMENT WILL SOON
RESOLVE TREATY TRADER QUESTION AND RESUME ISSUANCE OF
TREATY TRADER VISAS, BUT IN INTERIM WE BELIEVE EVERY
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EFFORT SHOULD BE MADE TO ACCOMMODATE THOSE FILIPINO APPLI-

CANTS HOLDING E STATUS IN US AND WHO NEED TO TRAVEL ABROAD.
WE RECOMMEND FOLLOWING STEPS FOR DEPARTMENT CONSIDERATION:
(A) FILIPINO TREATY TRADERS IN US SHOULD BE PERMITTED TO
SEEK REVALIDATION OF THEIR E VISAS THROUGH STATE DEPARTMENT;
(B) WE CAN REGARD PHILIPPINE ISSUANCE OF SPECIAL RETURN
CERTIFICATE TO AMCIT TREATY TRADERS AS DE FACTO VISA
REVALIATION. ON THAT BASIS EMBASSY AND OTHER POSTS CAN
RECIPROCATATE AND REVALIDATE E VISAS ABROAD IF AND WHEN
POST DETERMINES FILIPINO APPLICANT STILL ENTITLED TO E
STATUS. E VISAS WOULD NOT BE ISSUED TO NEW APPLICANTS,
BUT PREVIOUS E HOLDERS WOULD BE ENTITLED SEEK REVALIDATION.
CUSTOMARY CRITERIA OF DETERMINING ENTITLEMENT WOULD BE
APPLIED.

3. EMBASSY HAS HAD RELATIVELY FEW NEW APPLICANTS FOR E
STATUS, AND HAS EXPERIENCED NO DIFFICULTY IN HOLDING
SUCH CASES IN ABEYANCE. HOWEVER, FILIPINO TREATY TRADERS
WHO FOR VARIOUS REASONS HAVE RETURNED TEMPORARILY TO THE
PHILIPPINES POSE MORE DEMANDING PROBLEM. PENDING FINAL
RESOLUTION OF QUESTION BY PHILIPPINE GOVERNMENT REQUEST
DEPARTMENT CONSIDERATION AND CONCURRENCE OUR SUGGESTIONS

2 A AND B.
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